

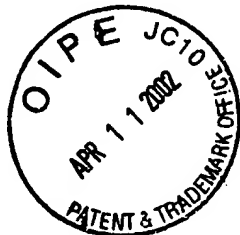


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/960,252	09/21/2001	David LeRoy Brugman	BRUGMAN 2212

James W. Wiegand  
204 Washington Street, Suite 4  
Marblehead, MA 01945



CONFIRMATION NO. 4331

## FORMALITIES LETTER



\*OC00000007000458\*

Date Mailed: 10/31/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$72.
  - \$72 for 4 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 912.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

04/12/2002 KK00R1 00000017 09960252

02 FC:101	740.00 OP
03 FC:102	130.00 OP
04 FC:103	72.00 OP

"DOCKETED"

*A copy of this notice MUST be returned with the reply.*

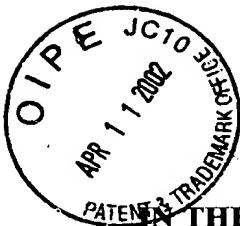
*Thaine*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09960357.041102



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : David L. Brugman, et al.

FOR : METHOD AND APPARATUS  
FOR TELECOMMUNICATIONS  
LINK CAPACITY  
DETERMINATION

SERIAL NO. : 09/960,252

FILED : September 21, 2001

ART UNIT : 2642

NOTICE TO FILE  
MISSING PARTS : October 31, 2001

ATTORNEY DOCKET NO. : LUT 2 0078  
Brugman 2-2-2-1-2

Cleveland, Ohio 44114-2518  
March 28, 2002

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION UNDER 37 CFR 1.63**

Assistant Commissioner for Patents  
Washington, D. C. 20231  
**BOX MISSING PARTS**

Dear Sir:

Responsive to the Notice to File Missing Parts issued October 31, 2001 on the above-captioned patent application, a "Declaration For Patent Application" is enclosed herewith. The enclosed Declaration has been duly executed by the inventors.

**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that this **RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR 1.63** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on March 28, 2002.

By: Roseanne Giuliani Date: 3-28-02  
Roseanne Giuliani

2011-03-28 04:10

Also enclosed is an executed Power of Attorney and Revocation of Prior Powers by the inventors.

Enclosed is a check in the amount of \$942.00 (\$740.00 - filing fee; \$72.00 - additional claims; \$130.00 - late filing of declaration fee (large entity)). Authorization is hereby provided to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 06-0308.

Formal drawings are also being filed herewith. It is respectfully submitted that such formal drawings overcome the deficiencies noted in the Notice to File Missing Parts and should also be considered as substitute drawings.

The foregoing submissions are believed to meet the requirements of the Notice to File Missing Parts, and the applicants await further action on the application from the Patent and Trademark Office.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

Date:

March 28, 2002



Joseph D. Dreher

Reg. No. 37,123

1100 Superior Avenue, Seventh Floor

Cleveland, Ohio 4411-2518

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